

U.S. Serial No. 09/462,845

REMARKS

In reviewing the file Applicant noted that the claims had been misnumbered in the original filing; there was no claim 12. Applicants have cancelled claims 12-16 and resubmitted them as claims 17-21 in order to correct the claim numbering. Thus, the claims as currently pending upon entry of the amendment are 1-7, 9-11 and 17-21.

Response to Restriction Requirement

The Examiner has required restriction among the following groups:

Group I, Claims 1-7 and 9-15, drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP1, a vector comprising said DNA and a method of producing SP1;

Group II, Claim 8, drawn in part to SP1;

Group III, Claims 1-7 and 9-15, drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP2, a vector comprising said DNA and a method of producing SP1;

Group IV, Claim 8, drawn in part to SP2;

Group V, Claims 1-7 and 9-15 drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP3, a vector comprising said DNA and a method of producing SP3;

Group VI, Claim 8, drawn in part to SP3;

Group VII, Claims 1-7 and 9-15, drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP4, a vector comprising said DNA and a method of producing SP4;

Group VIII, Claim 8, drawn in part to SP4;

Group IX, Claims 1-7 and 9-15, drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP5, a vector comprising said DNA and a method of producing SP5, and

Group X, Claim 8, drawn in part to SP5.

Applicants hereby elect, with traverse, the invention in Group I, Claims 1-7 and 9-15, drawn in part to a microorganism having a mutation or deletion of part or all of gene encoding SP1, a vector comprising said DNA and a method of producing SP1.

Applicants traverse this restriction requirement and believe that a search and examination of the entire application can be made without serious burden to the Examiner, see MPEP sections 803 and 808.

U.S. Serial No. 09/462,845

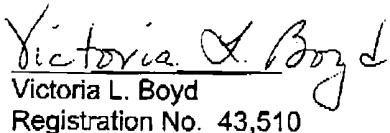
Amendments to Claims

Applicants have amended the claims to be directed to a single serine protease species. No new matter is introduced by these amendments.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Applicants have fully and completely responded to the Office Action and have made the required election. This application is now in order for early action. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 846-7516.

Respectfully submitted,

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U.S. Serial No. 09/462,845

APPENDIX

MARKED UP VERSION OF AMENDED CLAIMS

1. (Amended) A gram-positive microorganism having a mutation or deletion of part or all of one or more of the genes encoding [a serine protease selected from the group consisting of] SP1, [SP2, SP3, SP4 and SP5] said mutation or deletion resulting in the inactivation of the SP1[, SP2, SP3, SP4 or SP5] proteolytic activity.
9. (Amended) An expression vector comprising nucleic acid encoding [a serine protease selected from the group consisting of] SP1[, SP2, SP3, SP5 and SP5].
11. (Amended) A method for the production of a heterologous protein in a *Bacillus* host cell comprising the steps of
 - (a) obtaining a *Bacillus* host cell comprising nucleic acid encoding said heterologous protein wherein said host cell contains a mutation or deletion in the gene encoding serine protease 1[, serine protease 2 serine protease 3; serine protease 4 and serine protease 5.]
 - (b) growing said *Bacillus* host cell under conditions suitable for the expression of said heterologous protein.
17. (New) The method of Claim 11 wherein said *Bacillus* cell is selected from the group consisting of *Bacillus subtilis*, *B. licheniformis*, *B. lentus*, *B. brevis*, *B. stearothermophilus*, *B. alkalophilus*, *B. amyloliquefaciens*, *B. coagulans*, *B. circulans*, *B. lautus* and *Bacillus thuringiensis*.
18. (New) The method of Claim 17 wherein said *Bacillus* host cell further comprises a mutation or deletion in at least one of the genes encoding apr, npr, epr, wpr and mrp.
19. (New) A gram-positive microorganism having at mutation or deletion in the gene encoding serine protease 1.
20. (New) The microorganism of Claim 19 further comprising a mutation or deletion in at least one of the genes encoding apr, npr, epr, wpr and mrp.

U.S. Serial No. 09/462,845

21. (New) A cleaning composition comprising SP1